

Senate Committee on Rules
June 26, 1991 - Page

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

SENATE COMMITTEE ON
RULES

June 26, 1991Hearing Room 454
12:00 p.m. Tape 30 - 31
Salem, Oregon

MEMBERS PRESENT:Sen. Frank Roberts, Chair
Sen. Bill Bradbury, Vice-Chair (Departed 12:55 p.m.)
Sen. John Brenneman
Sen. Jane Cease
Sen. Joan Dukes
Sen. Lenn Hannon

MEMBERS ABSENT: Sen. Joyce Cohen

STAFF PRESENT: Jose Mata, Committee Administrator
Bernadette Williams, Committee Assistant

MEASURES

CONSIDERED:HB 3283-B - Amends law prohibiting political payments in a false name to include all contributions, not just payments of money, WRK

SR3 - Commemorates City of Yamhill centennial, PAW

HB 3242-B - Establishes certification and regulation of first responders in performing basic emergency procedures, PAW

HB 3213-B - Allows soil and water conservation districts to charge fees for administering certain water management plans, PPW

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TAPE 30, SIDE A

003 CHAIR ROBERTS: Calls the meeting to order at 12:30 p.m..

Submits and summarizes request for late drafting and introduction of a late measure. (EXHIBIT

A)

009 HANNON: Where is the other bill dealing with this subject?

010 ROBERTS: It is in a house committee that is closed down.

112 MOTION: SEN. ROBERTS asked if there was objection to approval of late drafting and introduction of the measure (Exhibit A) relating to osteopathic hospitals, and further allow introduction of the measure.

VOTE: Hearing no objection, the motion was unanimously approved. Senator Cohen was absent.

(Tape 30, Side A)

HB 3283-B - WORK SESSION

Witnesses: Jose Mata, Senate Rules Committee Administrator

021 ROBERTS: Opens public hearing on HB 3283-B

022 JOSE MATA, SENATE RULES COMMITTEE ADMINISTRATOR:
Outlines previous discussion on HB 3283-B.

Submits and summarizes HB 3283-B dash eight amendments and hand engrossed version.

(EXHIBIT B and C)

Submits and summarizes HB 3283-B dash nine amendments and hand engrossed version.

(EXHIBIT D and E)

Submits and summarizes HB 3283-B dash ten amendments and hand engrossed version.

(EXHIBIT F and G)

092 ROBERTS: These amendments require an additional report at the end of this period we've extended to December 31 or January 1; a report to indicate contributions that have been received since the last reporting period (on the 21st day after the general election). Before we went in legislative session, there would be on record the total contributions that any candidate or committee had received prior to the closing of the time in which they can receive contributions.

101 MATA: That is correct.

102 ROBERTS: That would only be for contributions exceeding an aggregate of \$500.00 from any person.

009 BRADBURY: Concerned about the number of reports that legislators have to file; not objecting to the intent. Asks why we can't take the post-election statement and delay it, instead of having to create a new report.

116 MATA: This was discussed at length with the Elections Division staff and the reasoning was that they didn't want the legislators to complete a whole C&E right before the session started. This is intended to be brief; it doesn't list expenditures, only contributions over \$500.00.

125 BRADBURY: Indicates he is fine with the issue.

125 DUKES: Asks what the problem is that we are trying to solve.

128 ROBERTS: Gives a brief description of HB 3283-B and amendments.

149 DUKES: I question whether we are doing much of any substance for the people; this isn't their issue.

172 MATA: Submits and summarizes a letter from Legislative Counsel where counsel questions the constitutionality of restrictions on political action committees. (EXHIBIT H)

179 ROBERTS: Does the issue of constitutionality also apply to the contributions made during the legislative session?

181 MATA: He believes those are probably suspect, although these are more so.

185 JACK GRAHAM, ELECTIONS DIVISION:
There are a some typographical errors in the HB 3283-B dash ten amendments. In eight different locations, "January 31st" is referenced instead of "December 31st".

200 MATA: Mr. Graham wanted to know some legislative history as to what was meant by the term "affiliated" in the HB 3283-B dash nine amendments. "Affiliated" meant a political committee that was formed by or at the direction of a caucus or authorized by a political party or the officers thereof.

206 CEASE: What about the employees thereof? Are they officers also?

207 MATA: They would be included; "affiliated" is a broad term.

208 MOTION: SEN. ROBERTS asked if there was objection to adopting Legislative Counsel's HB 328 3-B dash eight amendments dated 6/25/91 (Exhibit B), dash nine amendments dated 6/25/91 (Exhibit D) and dash ten amendments dated 6/26/91 (Exhibit F).

VOTE: Hearing no objection, the motion was unanimously approved. Senator Cohen was absent.

210 MOTION: SEN. ROBERTS asked if there was objection to moving HB 3282-B, as amended, to the floor, thereby effectively moving HB 3283-B to the floor with a "do pass"

recommendation.

VOTE: Hearing no objection, the motion was unanimously approved. Senator Cohen was absent.

(Tape 30, Side A)
SR3 - PUBLIC HEARING

214 ROBERTS: Opens public hearing on SR3.

217 MOTION: SEN. BRADBURY asked if there was objection to moving SR3 to the floor, thereby effectively moving SR3 to the floor with a "do pass" recommendation.

VOTE: Hearing no objection, the motion was unanimously approved. Senator Cohen was absent.

(Tape 30, Side A)
HB 3242-B - PUBLIC HEARING

Witnesses: Jayme Armstrong, Legislative Assistant to Sen. Roberts
Rep. Bill Markham, District 46
Art Keil, Health Division

225 ROBERTS: Opens a public hearing on HB 3242-B. This bill was sent to the Rules Committee to correct the omission of an amendment that was intended to be incorporated when it went through the previous committee.

254 JAYME ARMSTRONG, LEGISLATIVE ASSISTANT TO SEN. ROBERTS:
At the request of various people who were concerned about whether this was voluntary or not and at the direction of the Health Division, some amendments were drafted. Submits and summarizes previous amendment dated 6/10/91. (EXHIBIT I)

273 ROBERTS: Asks Rep. Markham if the language of this amendment is alright.

274 REPRESENTATIVE BILL MARKHAM, DISTRICT 46:
Yes, that makes it non-mandatory.

278 MOTION: SEN. ROBERTS asked if there was objection to amending HB 3242-B by adding on page 5 after line 10, "(8) No person shall be required to be certified under this 1991 Act in order to act as a first responder."

VOTE: Hearing no objection, the motion was unanimously approved. Senators Bradbury and Cohen were absent.

292 HANNON: This allows the volunteer fire fighter to be classified as a first responder, but it is not mandatory that they be certified.

295 ROBERTS: No. Under HB 3242-B, if you are going to call yourself a

first responder, you have to meet the qualifications. But it doesn't prohibit you from performing those functions. Nor does it prohibit an individual who gives emergency care, which is first responder. It says that you can't use the title "first responder".

302 MARKHAM: If you want to use the title, you have to get certified and pay the fee.

315 ART KEIL, HEALTH DIVISION:

Submits and summarizes HB 3242-B dash six amendments and hand-engrossed version.

(EXHIBITS J and K) This amendment will set a scope of practice for first responders dealing with injections of epinephrin and difibulation that would require us to establish a scope of practice and do quality assurance. This would require a cost factor for the Health Division; this is not the intent of the bill.

We have specifically taken that out of the original bill, because it would have raised a substantial fee to become a first responder.

342 DUKES: Without this, are all first responders required to work under a supervising physician?

345 KEIL: That is correct.

346 DUKES: Asks Mr. Keil if he is aware of a problem with the ways things are handled now.

350 KEIL: Regarding the Health Division, we have no problem with how it is functioning now. The first responders came to Rep. Markham and asked for this certification process and we worked out the details.

364 DUKES: Asks if there is a requirement that whoever is the supervising physician be reachable through a beeper or pager?

371 KEIL: That is ideal. The first responder is a level below the Emergency Medical Technician (EMT) 1; they are primarily skilled in first aid and not under medical direction.

382 ROBERTS: Subsection 5 assumes that under the rules of Subsection 1, the Board of Medical Examiners would have permitted the first responder to administer the injections. Is there something else in here that presumes to administer these injections?

392 KEIL: The EMTs 1, 2, 3 and 4 are operating under a School for Practice as prescribed by the Board of Medical examiners. By adding "and first responders", that then forces the Board of Medical Examiners and/or the Health Division to establish the scope for practice for them.

401 ROBERTS: You don't know that the Board of Medical Examiners would extend to first responders' scope of practice the administration of injections?

404 KEIL: That is correct.

405 ROBERTS: If we took out Subsection 5, we could leave that whole thing to the Board of Medical Examiners to determine 1) Whether or not injections are included in their scope of practice and 2) What restrictions there are for people under 18 to do it.

423 KEIL: Yes they could. The Health Division now does the scope of practice for EMTs 1, 2, 3 and 4, and will do it for first responders.

429 MOTION: SEN. ROBERTS asked if there was objection to amending HB 3242-B with the dash six amendments dated 6/25/91 by deleting Subsection 5 and then adopting the amendment.

VOTE: Hearing no objection, the motion was unanimously approved. Senators Bradbury and Cohen were absent.

443 MOTION: SEN. HANNON asked if there was objection to moving HB 3242-B, as amended, to the floor, thereby effectively moving it to the floor with a "do pass" recommendation.

VOTE: Hearing no objection, the motion was unanimously approved. Senators Bradbury and Cohen were absent.

(Tape 30, Side A)
HB 3213-B - PUBLIC HEARING
Witnesses: Art Laubach,

056 ROBERTS: Opens public hearing on HB 3213-B.

069 MATA: Brief explanation of HB 3213-B. Submits and summarizes testimony on HB 3213-B.
(EXHIBIT L)

TAPE 31, SIDE A

072 ROBERTS: It probably isn't desirable to limit it to just one district (Tualatin), which HB 2131-B does. We have checked with Representative Meek, the author of the bill, and he agrees that is the desirable thing to do. It would ensure that the decisions and the plan can be activated locally by a local Soil and Water Conservation District.

083 HANNON: Asks if that would that include Bear Creek in Jackson County?

086 MATA: In order to include Jackson County and other bodies of water around the state subject to these mandates, you must delete Section 4 of HB 3213-B.

094 HANNON: Asks Mr. Laubach if he would want Section 4 removed to give a broader authority.

096 ART LAUBACH, AREA 2 CHAIRMAN, SOIL AND WATER CONSERVATION DISTRICT:

It is imperative to have this for the state under these mandates.

102 MOTION: SEN. HANNON asked if there was objection the amending HB 3213-B by removing Section 4 from the bill.

VOTE: Hearing no objection, the motion was unanimously approved. Senators Bradbury and Cohen were absent.

104 MOTION: SEN. HANNON asked if there was objection to moving HB 3213-B, as amended, to the floor, thereby moving HB 3213-B to the floor with a "do pass" recommendation.

VOTE: Hearing no objection, the motion was unanimously approved. Senators Bradbury and Cohen were absent.

107 ROBERTS: Adjourns the meeting at 1:5 p.m..

Submitted by: Reviewed by:

Bernadette Williams Jose Mata
Assistant Administrator

EXHIBIT LOG:

A - Late Measure Request - Senator Roberts - 4 pages
B - Amendments to HB 3283-B - Staff - 1 page
C - Hand Engrossed Amendments to HB 3283-B - Staff - 2 pages
D-Amendments to HB 3283-B - Staff - 1 page
E-Hand Engrossed Amendments to HB 3283-B - Staff - 3 pages
F-Amendments to HB 3283-B - Staff - 14 pages
G-Hand Engrossed Amendments to HB 3283-B - Staff - 7 pages
H-Testimony on HB 3283-B - Legislative Counsel - 2 pages
I-Amendments to HB 3242-B - Staff - 1 page
J-Amendments to HB 3242-B - Staff - 2 pages
K-Hand Engrossed Amendments to HB 3242-B - Staff - 3 pages
L-Testimony on HB 3213-B - Department of Environmental Quality - 6 pages